

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10480-RGS

SILAS CALHOUN AND EMILY
CALHOUN, INDIVIDUALLY, AND AS
PARENTS AND NEXT FRIENDS OF
ESTELLA CALHOUN,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
ERIC C. DAUB, M.D. AND
MARIANNE SUTTON, M.D.,

Defendants.

CONF 22

**MOTION FOR COURT ORDER FOR RECORDS OF THE PLAINTIFF,
ESTELLA CALHOUN, FROM CHILDREN'S HOSPITAL, TRIPLER ARMY
MEDICAL CENTER, AND SCHOFIELD BARRACKS HEALTH CENTER**

NOW COMES the defendant, Marianne Sutton, M.D. ("Dr. Sutton"), and hereby moves this Honorable Court for an order for the release of medical records of Estella Calhoun from Children's Hospital, Tripler Army Medical Center and Schofield Barracks Health Clinic for inspection.

As grounds therefore, the defendant states the following:

1. This is a medical malpractice action wherein the plaintiff alleges that Dr. Sutton negligently discharged Estella Calhoun from Emerson Hospital, resulting in intracranial bleeding and seizures which caused permanent neuro-deficits. Dr. Sutton was the plaintiff's treating physician when the plaintiff was admitted to Emerson Hospital from March 3 through 6, 2000.
2. The medical records from all subsequent facilities requested are relevant in this

medical malpractice case due to the medical diagnosis of the plaintiff.

3. Dr. Sutton now seeks the release of the medical records for Estella Calhoun in the possession of Children's Hospital, Tripler Army Medical Center and Schofield Barracks Health Clinic.

4. Dr. Sutton seeks to have their experts review the medical records in order to prepare for the defense of this action.

5. No party will be prejudiced by the granting of this motion.

6. The defendant will provide reimbursement for the cost of copying these records upon receipt of an invoice.

WHEREFORE, the defendant, Dr. Sutton, respectfully requests that this Honorable Court issue the proposed orders attached authorizing the release of the medical records of Estella Calhoun to Dr. Sutton's attorney based upon the aforementioned reasons.

The Defendant,
Marianne Sutton, M.D.
By her attorneys,

/s/ Holly L. Parks

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